

SOUTH YORKSHIRE POLICE AND CRIME PANEL – REPORT TO MEMBERS

1.	Meeting:	South Yorkshire Police and Crime Panel
2.	Date:	2 nd September 2013
3.	Title:	Update from the Legal Adviser regarding referrals under the Complaints Procedure
4.	Organisation:	Monitoring Officer, RMBC – Host Authority

5. Summary

To update the Panel on matters that have been considered under the Complaints Procedure.

6. Recommendations

That the Panel notes the steps that have been taken with regard to the complaints.

7. Information and Analysis

Since the previous meeting of the Panel on 12th June the following complaints have been dealt with:-

- a) Complaint that the Commissioner has failed to take appropriate action regarding comments made by the Chief Constable.

As this matter concerns personnel issues the Panel may wish, in accordance with the Complaint Procedure, to refer it for consideration by a single member or a sub-committee of the Panel.

- b) Complaint that the Commissioner has failed to respond to a matter reported to him.

Following an initial consultation with the Commissioner, it was clear that the complaint regarded an administrative failure, and was not a complaint as envisaged by The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Therefore the matter was not further considered under the Procedure.

The Chair and Vice Chair were consulted regarding this complaint, as required by the Complaints Procedure.

- c) Complaint that the Commissioner has failed to declare an interest upon his register of interests.

Following clarification from the Commissioner it was clear that he did not hold the interest that it was alleged should have been declared. Therefore the matter did not fall to be considered further under the procedure.

- d) Complaint that the Commissioner had failed to register as a data controller, in accordance with the Data Protection Act 1998. As this allegation, if true, would constitute a criminal offence the matter had to be referred to the Independent Police Complaints Commission (IPCC).

The IPCC referred the matter back to the Panel and confirmed that, in accordance with transitional regulations, the previous data protection registration of the Police Authority had transferred to the Police Commissioner.

Accordingly the complaint did not require further consideration by the Panel.

- e) A complaint of poor service by South Yorkshire Police.

This was referred to the Commissioner for consideration.

8. Background Papers and Consultation

Files held by the Legal Adviser to the Panel

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